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WASHINGTON DC 20006

In re Application of :  
MASUMOTO et al. :  
Application No.: 10/510,049 : DECISION  
PCT No.: PCT/JP03/04161 :  
Int. Filing Date: 31 March 2003 :  
Priority Date: 01 April 2002 :  
Attorney Docket No.: 0074/044001 :  
For: IMAGE REPRODUCTION DEVICE AND :  
IMAGE REPRODUCTION METHOD :

This decision is in response to applicant's "REQUEST FOR REFUND" filed in the United States Patent and Trademark Office (USPTO) on 08 January 2008.

**BACKGROUND**

On 31 March 2003, applicant filed international application PCT/JP03/04161, which designated the U.S. and claimed a priority date of 01 April 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 09 October 2003. The thirty-month period for paying the basic national fee in the United States expired at midnight on 01 October 2004.

On 01 October 2004, applicant filed, *inter alia*, a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 13 May 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495, according the application a 35 U.S.C. 371 date of 01 October 2004.

On 20 October 2006, applicant filed the instant "REQUEST FOR REFUND".

**DISCUSSION**

The request for refund requests a refund of \$1,050 charged on 01 November 2007. A review of the application file reveals that the credit card payment on that date of \$1,050 was applied as a fee for a three-month extension of time and the Deposit Account was charged the same amount for independent claims in excess of three. Because no extension of time was required, \$1,050 will be credited to the credit card.

**CONCLUSION**

The request for refund under 37 CFR 1.26 is **GRANTED** for the reasons set forth above.

/Daniel Stemmer/

Daniel Stemmer  
Legal Examiner  
PCT Legal Affairs  
Office of Patent Cooperation Treaty  
Legal Administration  
Telephone: (571) 272-3301  
Facsimile: (571) 273-0459